information to any other individual who does not have a need-to-know.

3. The personal information obtained on an individual from a criminal history record check may be transferred to another Licensee if the Licensee holding the criminal history record check receives the individual's written request to re-disseminate the information contained in his/her file, and the gaining Licensee verifies information such as the individual's name, date of birth, social security number, sex, and other applicable physical characteristics for identification purposes.

4. The Licensee shall make criminal history records, obtained under this section, available for examination by an authorized representative of the NRC to determine compliance with the regulations and laws.

5. The Licensee shall retain all fingerprints and criminal history records from the FBI, or a copy if the individual's file has been transferred:

a. For three (3) years after the individual no longer requires unescorted access, or

b. For three (3) years after unescorted access to certain radioactive material was denied.

After the required three (3) year period, these documents shall be destroyed by a method that will prevent reconstruction of the information in whole or in part.

[FR Doc. E9–31147 Filed 12–31–09; 8:45 am]

**BILLING CODE 7590–01–P**

## POSTAL REGULATORY COMMISSION

**[Docket No. CP2009–49; Order No. 371]**

### Postal Product Price Changes

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** The Commission is noticing a recently-filed Postal Service request to change prices for a Global Plus 2 contract. This notice provides an opportunity for the public to comment.

**DATES:** Comments are due: January 5, 2010.

**ADDRESSES:** Submit comments electronically via the Commission's Filing Online system at *http://www.prc.gov.* Commenters who cannot submit their views electronically should contact the person identified in ''FOR FURTHER INFORMATION CONTACT'' by telephone for advice on alternatives to electronic filing.

**FOR FURTHER INFORMATION CONTACT:** Stephen L. Sharfman, General Counsel, 202–789–6820 or *stephen.sharfman@prc.gov.*

**SUPPLEMENTARY INFORMATION:** On December 21, 2009, the Postal Service filed a notice that prices for the Global Plus 2 contract at issue in the above-captioned proceeding will change as contemplated by the contract's terms.[1] The Notice includes three attachments: (1) A redacted version of the letter to the customer with the amended prices (Attachment 1); (2) a certified statement of compliance with 39 U.S.C. 3633(a) (Attachment 2); and (3) an application for non-public treatment for the material filed under seal (Attachment 3).

In Order No. 216, the Commission concluded that certain costs for these types of contracts are based on objective, external factors and out of the Postal Service's discretion.[2] Such objective, external factors are, in the case of the Global Direct contract filed in Docket No. CP2009–29, exchange rate fluctuations and changes in the amount Canada Post Corporation charges the Postal Service for services. *Id.* at 7. For rate changes based on these types of objective, external factors, the Commission allowed that the Postal Service could file the changes on a ''notice-type basis.'' *Id.*

The Postal Service filed the Notice because it plans on changing rates for the Global Plus 2 contract at issue in this docket. It is unclear, however, whether the planned increase is only the result of ''objective, external factors'' contemplated by Order No. 216. If the increase is based on other terms of the contract that are not ''objective, external factors,'' *i.e.*, based on Article 15, paragraph 2, of the contract, then it must be subject to the usual requirements of a competitive rate change set forth in 39 CFR 3015.5.

Because the basis for the price change in the Notice is not clear, the Commission reopens Docket No. CP2009–49 to review the proposed price change and give interested persons the opportunity to comment on whether the Postal Service's proposed rate increase is based on ''objective, external factors.'' If the change is based on such factors, Commission review may be unnecessary under the terms of Order No. 216. Comments may also address, if appropriate, whether the filings in the captioned docket are consistent with the policies of 39 U.S.C. 3632, 3633, or 3652 and 39 CFR part 3015 and 39 CFR 3020, subpart B. Comments are due no later than January 5, 2010.

[1] Notice of United States Postal Service of Change in Prices in Accordance with Order No. 216, December 21, 2009 (Notice).

[2] Docket No. CP2009–29, Order Concerning Filing of Additional Global Direct Contracts Negotiated Service Agreement, May 15, 2009 (Order No. 216).

The Commission appoints Paul L. Harrington to serve as Public Representative in these dockets.

*It is ordered:*

1. The Commission reopens Docket No. CP2009–49 for consideration of the issues raised in this order.

2. Pursuant to 39 U.S.C. 505, Paul L. Harrington is appointed to serve as the officer of the Commission (Public Representative) to represent the interests of the general public in these proceedings.

3. Comments by interested persons in this proceeding are due no later than January 5, 2010.

4. The Secretary shall arrange for publication of this Notice in the **Federal Register**.

By the Commission.

**Shoshana M. Grove,**

*Secretary.*

[FR Doc. E9–31108 Filed 12–31–09; 8:45 am]

**BILLING CODE 7710–FW–S**

## POSTAL REGULATORY COMMISSION

**[Docket No. CP2009–48; Order No. 370]**

### Postal Product Price Changes

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** The Commission is noticing a recently-filed Postal Service request to change prices for a Global Plus 2 contract. This notice provides an opportunity for the public to comment.

**DATES:** Comments are due: January 5, 2010.

**ADDRESSES:** Submit comments electronically via the Commission's Filing Online system at *http://www.prc.gov.* Commenters who cannot submit their views electronically should contact the person identified in ''FOR FURTHER INFORMATION CONTACT'' by telephone for advice on alternatives to electronic filing.

**FOR FURTHER INFORMATION CONTACT:** Stephen L. Sharfman, General Counsel, 202–789–6820 or *stephen.sharfman@prc.gov.*

**SUPPLEMENTARY INFORMATION:** On December 21, 2009, the Postal Service filed a notice that prices for the Global Plus 2 contract at issue in the above-captioned proceeding will change as contemplated by the contract's terms.[1] The Notice includes three attachments: (1) A redacted version of the letter to the customer with the amended prices (Attachment 1); (2) a certified statement

[1] Notice of United States Postal Service of Change in Prices in Accordance with Order No. 216, December 21, 2009 (Notice).

of compliance with 39 U.S.C. 3633(a) (Attachment 2); and (3) an application for non-public treatment for the material filed under seal (Attachment 3).

In Order No. 216, the Commission concluded that certain costs for these types of contracts are based on objective, external factors and out of the Postal Service's discretion.[2] Such objective, external factors are, in the case of the Global Direct contract filed in Docket No. CP2009–29, exchange rate fluctuations and changes in the amount Canada Post Corporation charges the Postal Service for services. *Id.* at 7. For rate changes based on these types of objective, external factors, the Commission allowed that the Postal Service could file the changes on a ''notice-type basis.'' *Id.*

The Postal Service filed the Notice because it plans on changing rates for the Global Plus 2 contract at issue in this docket. It is unclear, however, whether the planned increase is only the result of ''objective, external factors'' contemplated by Order No. 216. If the increase is based on other terms of the contract that are not ''objective, external factors,'' *i.e.*, based on Article 15, paragraph 2, of the contract, then it must be subject to the usual requirements of a competitive rate change set forth in 39 CFR 3015.5.

Because the basis for the price change in the Notice is not clear, the Commission reopens Docket No. CP2009–48 to review the proposed price change and give interested persons the opportunity to comment on whether the Postal Service's proposed rate increase is based on ''objective, external factors.'' If the change is based on such factors, Commission review may be unnecessary under the terms of Order No. 216. Comments may also address, if appropriate, whether the filings in the captioned docket are consistent with the policies of 39 U.S.C. 3632, 3633, or 3652 and 39 CFR part 3015 and 39 CFR 3020, subpart B. Comments are due no later than January 5, 2010.

The Commission appoints Paul L. Harrington to serve as Public Representative in these dockets.

*It is ordered:*

1. The Commission reopens Docket No. CP2009–48 for consideration of the issues raised in this order.

2. Pursuant to 39 U.S.C. 505, Paul L. Harrington is appointed to serve as the officer of the Commission (Public Representative) to represent the interests of the general public in these proceedings.

3. Comments by interested persons in this proceeding are due no later than January 5, 2010.

4. The Secretary shall arrange for publication of this Notice in the **Federal Register**.

By the Commission.

**Shoshana M. Grove,**

*Secretary.*

[FR Doc. E9–31113 Filed 12–31–09; 8:45 am]

BILLING CODE 7710–FW–S

[2] Docket No. CP2009–29, Order Concerning Filing of Additional Global Direct Contracts Negotiated Service Agreement, May 15, 2009 (Order No. 216).

## SECURITIES AND EXCHANGE COMMISSION

**[Release No. 34–61242; File No. SR–FINRA–2009–076]**

## Self-Regulatory Organizations; Financial Industry Regulatory Authority, Inc.; Order Approving Proposed Rule Change Amending the FINRA Rule 9550 Series (Expedited Proceedings)

December 28, 2009.

On November 5, 2009, Financial Industry Regulatory Authority, Inc. (''FINRA'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change amending the FINRA Rule 9550 Series (Expedited Proceedings). On November 17, 2009, FINRA filed Amendment No. 1. The proposed rule change would make the following changes:

—Shorten the time within which a hearing must be held from the current 60 days after a hearing request to 30 days after the request in relation to FINRA rules Rule 9551 (Failure to Comply with Public Communication Standards), Rule 9552 (Failure to Provide Information or Keep Information Current), Rule 9553 (Failure to Pay FINRA Dues, Fees and Other Charges), Rule 9554 (Failure to Comply with an Arbitration Award or Related Settlement), and Rule 9555 (Failure to Meet the Eligibility or Qualification Standards or Prerequisites for Access to Services);

—Amend Rule 9552 to shorten the period before a suspension automatically turns into an expulsion or bar from six months to three months;

—Amend Rule 9554, to explicitly allow FINRA to take expedited action against firms or associated persons who fail to pay restitution to a third party (usually investors who have been harmed);

—Harmonize the remedy for an individual's failure to pay an arbitration award in Rule 9554 with the remedy for the same misconduct in the FINRA By-Laws (limiting the remedy against individuals in such cases to suspension, and eliminating any reference to barring individuals).

The proposed rule change, as modified by Amendment No. 1, was published for comment in the **Federal Register** on November 25, 2009.[3] The Commission received one comment on the proposal.[4] This order approves the proposed rule change as modified by Amendment No. 1.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities association.[5] In particular, the Commission finds that the proposed rule change is consistent with the provisions of Section 15A(b)(6) of the Act,[6] which requires, among other things, that FINRA's rules be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, and, in general, to protect investors and the public interest. The proposal also is consistent with Section 15A(b)(7) of the Act,[7] which provides that FINRA members and associated persons must be appropriately disciplined for violations of provisions of the Act or FINRA rules. The Commission believes the proposed rule change is consistent with these purposes because it is designed to promote a reasonable, fair and efficient disciplinary process. FINRA's amendments make the timing of hearings more consistent with other hearings in the series of rules. FINRA stated that the changes to these rules are based on FINRA's experience over the last five years administering the rules.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 61026 (November 18, 2009) 74 FR 61727.

[4] *See* December 15, 2009 letter to Elizabeth M. Murphy, Secretary, Commission, from Scott R. Shewan, President, Public Investors Arbitration Bar Association (''PIABA Letter'') in support of the proposed rule change. PIABA states ''FINRA has proposed equitable amendments and should be commended for the thoughtful treatment of the restitution issue in particular * * * the Commission should approve the amendments without delay.'' PIABA Letter at 2.

[5] In approving this proposed rule change, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

[6] 15 U.S.C. 78*o*–3(b)(6).

[7] 15 U.S.C. 78*o*–3(b)(7).